

August 1, 2023

The Honorable Analisa Torres  
United States District Judge Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

**Via Electronic  
Case Filing &  
E-mail**

Re: FAO ROC Holdings, LLC v. Saraceni SDNY Case No. 1:22-cv-00831

Dear Judge Torres:

Pursuant to the Court's May 20, 2022 Order (ECF 28), the parties submit this joint status letter regarding the Delaware proceedings Saraceni v. MerchSource, LLC, Case No. 1:22-cv-00184-CFC (D. Del.).

The D. Del case remains pending before Chief Judge Connolly. Defendants have filed an answer to Plaintiff's Complaint, including asserting counterclaims against Plaintiff. The parties are engaged in discovery.

The case has also been referred to Judge Burke for ADR.

The D. Del. Docket sheet is attached.

Plaintiff will submit another status letter to the Court in thirty days.

Thank you very much for your consideration.

Sincerely,

PETOCK & PETOCK, LLC  
/s/ [Michael C. Petock](#)  
MICHAEL C. PETOCK  
(Admitted pro hac vice for Defendant)

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:22-cv-00184-CFC**

Saraceni v. MerchSource, LLC et al  
Assigned to: Judge Colm F. Connolly  
Case in other court: Pennsylvania Eastern, 2:21-cv-04947  
Cause: 15:44 Trademark Infringement

Date Filed: 02/10/2022  
Jury Demand: Plaintiff  
Nature of Suit: 840 Trademark  
Jurisdiction: Federal Question

**Plaintiff**

**Remo Saraceni**

represented by **Michael C. Petock**  
Pro Hac Vice  
Email: mp@petocklaw.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Tiffany Marie Shrenk**  
MacElree Harvey, Ltd.  
5721 Kennett Pike  
Centreville, DE 19807  
302-654-4454  
Fax: 302-654-8377  
Email: tshrenk@macelree.com  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**MerchSource, LLC**

represented by **Michael J. Flynn**  
Morris, Nichols, Arsht & Tunnell LLP  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
302-351-9661  
Fax: 302-498-6217  
Email: mflynn@mnat.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kyle B. Fleming**  
Email: kfleming@rennerotto.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Mark C. Johnson**  
Email: mjohnson@rennerotto.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Travis J Murray**  
Morris Nichols Arsht and Tunnell  
Intellectual Property  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
302-351-9176  
Fax: 302-658-3989  
Email: tmurray@morrisnichols.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**PO John Does**

*TERMINATED: 02/18/2022*

**Defendant**

**FAO ROC Holdings, LLC**

represented by **Michael J. Flynn**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kyle B. Fleming**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Mark C. Johnson**  
(See above for address)  
*PRO HAC VICE*

**Travis J Murray**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**360 HOLDINGS III CORP.**  
*TERMINATED: 01/26/2023*

represented by **Michael J. Flynn**  
(See above for address)  
*TERMINATED: 01/26/2023*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kyle B. Fleming**  
(See above for address)  
*TERMINATED: 01/26/2023*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Mark C. Johnson**  
(See above for address)  
*TERMINATED: 01/26/2023*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**MerchSource, LLC**

represented by **Travis J Murray**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**FAO ROC Holdings, LLC**

represented by **Travis J Murray**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**Remo Saraceni**

represented by **Michael C. Petock**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Tiffany Marie Shrenk**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/09/2021	<a href="#">1</a>	COMPLAINT against All Defendants ( Filing fee \$ 402 receipt number APAEDC-15539349.), filed by REMO SARACENI. (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B, # <a href="#">3</a> Civil Cover Sheet, # <a href="#">4</a> Designation Form)(PETOCK, MICHAEL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 11/09/2021)
11/10/2021		Summons Issued as to MERCHSOURCE, LLC, THREESIXTY GROUP, INC.. E-MAILED To: COUNSEL on 11/10/21 (bw, ) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 11/10/2021)
11/26/2021	<a href="#">2</a>	AFFIDAVIT of Service by George Sano re: served Summons and Complaint upon Jennifer Najera on behalf of Threesixty Group, Inc. and Merchsource, LLC by Hand delivery to manager/person in charge on November 16, 2021 (PETOCK, MICHAEL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 11/26/2021)
12/07/2021	<a href="#">3</a>	NOTICE of Appearance by PATRICK D. DORAN on behalf of MERCHSOURCE, LLC, THREESIXTY GROUP, INC. with Certificate of Service(DORAN, PATRICK) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/07/2021)
12/07/2021	<a href="#">4</a>	MOTION to Dismiss , <i>Or, In the Alternative For More Definite Statement</i> filed by MERCHSOURCE, LLC, THREESIXTY GROUP, INC..Certificate of Service. (Attachments: # <a href="#">1</a> Memorandum, # <a href="#">2</a> Exhibit A - Declaration of Adam Gromfin, # <a href="#">3</a> Text of Proposed Order)(DORAN, PATRICK) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/07/2021)
12/07/2021	<a href="#">5</a>	Disclosure Statement Form pursuant to FRCP 7.1 including 360 Holdings III Corp with Certificate of Service by MERCHSOURCE, LLC.(DORAN, PATRICK) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/07/2021)
12/07/2021	<a href="#">6</a>	MOTION for Pro Hac Vice of <i>Kyle B. Fleming</i> ( Filing fee \$ 40 receipt number BPAEDC-15595311.) filed by MERCHSOURCE, LLC, THREESIXTY GROUP, INC..Certificate of Service. (Attachments: # <a href="#">1</a> Affidavit of Kyle B. Fleming)(DORAN, PATRICK) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/07/2021)
12/07/2021	<a href="#">7</a>	MOTION for Pro Hac Vice of <i>Mark C. Johnson</i> ( Filing fee \$ 40 receipt number APAEDC-15595314.) filed by MERCHSOURCE, LLC, THREESIXTY GROUP, INC..Certificate of Service. (Attachments: # <a href="#">1</a> Affidavit of Mark C. Johnson)(DORAN, PATRICK) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/07/2021)
12/08/2021	<a href="#">8</a>	ORDER THAT THE MOTIONS FOR ADMISSION PRO HAC VICE ARE GRANTED AND KYLE B. FLEMING AND MARK C. JOHNSON ARE ADMITTED TO PRACTICE IN THIS CASE; ETC.. SIGNED BY HONORABLE MARK A. KEARNEY ON 12/8/21. 12/8/21 ENTERED AND COPIES MAILED AND E-MAILED.(JL ) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/08/2021)
12/28/2021	<a href="#">9</a>	AMENDED COMPLAINT against All Defendants All Defendants., filed by REMO SARACENI. (Attachments: # <a href="#">1</a> Exhibit Exhibit A, # <a href="#">2</a> Exhibit Exhibit B, # <a href="#">3</a> Exhibit Exhibit C, # <a href="#">4</a> Exhibit Exhibit D)(PETOCK, MICHAEL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/28/2021)
12/28/2021	<a href="#">10</a>	ORDER THAT DEFENDANT'S MOTION TO DISMISS IS DENIED AS MOOT; ETC.. SIGNED BY HONORABLE MARK A. KEARNEY ON 12/28/21.12/28/21 ENTERED AND E-MAILED, NOT MAILED TO COUNSEL.(JL ) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/28/2021)
12/29/2021		PAPER #10 MAILED TO COUNSEL (JL ) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 12/29/2021)

01/11/2022	<a href="#">11</a>	MOTION to Dismiss filed by MERCHSOURCE, LLC. Memorandum, Certificate of Service. (Attachments: # <a href="#">1</a> Memorandum In Support, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B)(DORAN, PATRICK) Modified on 1/12/2022 (tjd). [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/11/2022)
01/20/2022	<a href="#">12</a>	ORDER MERCHSOURCE SHALL SUPPLEMENT ITS <a href="#">11</a> MOTION to Dismiss AS OUTLINED HEREIN. SIGNED BY HONORABLE MARK A. KEARNEY ON 1/20/2022. 1/20/2022 ENTERED AND COPIES E-MAILED AND MAILED TO COUNSEL.(uh) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/20/2022)
01/21/2022	<a href="#">13</a>	Memorandum in Support re <a href="#">11</a> MOTION to Dismiss [Supplement to MerchSource's Motion to Dismiss pursuant to ECF Doc. No. 12] filed by MERCHSOURCE, LLC. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Text of Proposed Order)(DORAN, PATRICK) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/21/2022)
01/24/2022	<a href="#">14</a>	NOTICE by REMO SARACENI <i>IN ACCORDANCE WITH COURTS ORDER (DOC. 12) REGARDING EXPEDITED JURISDICTIONAL DISCOVERY</i> (PETOCK, MICHAEL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/24/2022)
01/27/2022	<a href="#">15</a>	RESPONSE in Opposition re <a href="#">11</a> MOTION to Dismiss filed by REMO SARACENI. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Text of Proposed Order)(PETOCK, MICHAEL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/27/2022)
01/28/2022	<a href="#">16</a>	REPLY to Response to Motion re <a href="#">11</a> MOTION to Dismiss filed by MERCHSOURCE, LLC. (DORAN, PATRICK) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/28/2022)
01/31/2022	<a href="#">17</a>	MOTION for Leave to File <i>Surreply To MerchSource, LLCs Reply In Support of Motion To Dismiss</i> filed by REMO SARACENI.Memorandum, Certificate of Service. (Attachments: # <a href="#">1</a> Exhibit Surreply, # <a href="#">2</a> Memorandum, # <a href="#">3</a> Text of Proposed Order)(PETOCK, MICHAEL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/31/2022)
01/31/2022	<a href="#">18</a>	MEMORANDUM; ETC.. SIGNED BY HONORABLE MARK A. KEARNEY ON 1/31/22. 1/31/22 ENTERED AND E-MAILED.(JL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/31/2022)
01/31/2022	<a href="#">19</a>	ORDER THAT DEFENDANT'S MOTION TO DISMISS BASED ON LACK OF PERSONAL JURISDICTION IS GRANTED WITHOUT PREJUDICE. PLAINTIFF IS GRANTED LEAVE TO FILE A SECOND AMENDED COMPLAINT BY 2/18/22; ETC.. SIGNED BY HONORABLE MARK A. KEARNEY ON 1/31/22. 1/31/22 ENTERED AND E-MAILED.(JL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/31/2022)
01/31/2022	<a href="#">20</a>	ORDER THAT PLAINTIFF'S MOTION FOR LEAVE TO FILE A SUR-REPLY IS GRANTED IN PART AS WE CONSIDERED THE NEWLY RAISED ARGUMENTS IN THE SUR-REPLY (ECF DOC.17-1); ETC.. SIGNED BY HONORABLE MARK A. KEARNEY ON 1/31/22. 1/31/22 ENTERED AND E-MAILED.(JL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 01/31/2022)
02/09/2022	<a href="#">21</a>	NOTICE by REMO SARACENI ( <i>ELECTION TO TRANSFER ACTION TO DISTRICT OF DELAWARE</i> ) (Attachments: # <a href="#">1</a> Text of Proposed Order)(PETOCK, MICHAEL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 02/09/2022)
02/09/2022	<a href="#">22</a>	ORDER THAT THE CLERK OF COURT SHALL FORTHWITH TRANSFER THIS MATTER TO THE CLERK OF USDC FOR THE DISTRICT OF DELAWARE AND CLOSE THIS CASE IN THIS DISTRICT; ETC.. SIGNED BY HONORABLE MARK A. KEARNEY ON 2/9/22. 2/9/22 ENTERED AND E-MAILED.(JL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 02/09/2022)
02/10/2022		THE ABOVE CAPTIONED CASE IS TRANSFERRED TO THE DISTRICT OF DELAWARE (JL) [Transferred from Pennsylvania Eastern on 2/10/2022.] (Entered: 02/10/2022)
02/10/2022	<a href="#">23</a>	Record of case transferred in from District of Pennsylvania Eastern; Case Number in Other District: 2:21-cv-04947. Copy of Docket Sheet and original file (Entered: 02/10/2022)
02/10/2022	<a href="#">24</a>	Local Counsel Letter sent. Notice of Compliance deadline set for 3/14/2022. (mal) (Entered: 02/10/2022)
02/16/2022		Case Assigned to Judge Colm F. Connolly. Please include the initials of the Judge (CFC) after the case number on all documents filed. (rjb) (Entered: 02/16/2022)
02/18/2022	<a href="#">25</a>	NOTICE of Appearance by Tiffany Marie Shrenk on behalf of Remo Saraceni (Shrenk, Tiffany) (Entered: 02/18/2022)
02/18/2022	<a href="#">26</a>	Second AMENDED COMPLAINT against All Defendants - filed by Remo Saraceni. (Attachments: # <a href="#">1</a> Exhibit Exhibit A - Printout from Plaintiff's Website, # <a href="#">2</a> Exhibit Exhibit B - Photographs Taken by Plaintiff of Defendant's Showroom, # <a href="#">3</a> Exhibit Exhibit C - Affidavit of MerchSource, LLC, # <a href="#">4</a> Exhibit Exhibit D - FAO Shwarz Facebook Post Advertising "The Big Piano")(Shrenk, Tiffany) (Entered: 02/18/2022)
02/23/2022	<a href="#">27</a>	AFFIDAVIT of Service for Second Amended Complaint and Exhibits served on FAO ROC HOLDINGS, LLC and 360 Holdings III Corp. on 02/23/2022, filed by Remo Saraceni. (Attachments: # <a href="#">1</a> Affidavit Summons and Affidavit of Service on FAO ROC HOLDINGS, LLC)(Shrenk, Tiffany) (Entered: 02/23/2022)
03/01/2022	<a href="#">28</a>	Return of Undeliverable Mail, D.I. <a href="#">24</a> sent to Patrick D. Doran, (Attempted - Unable to forward). (smg) (Entered: 03/02/2022)
03/02/2022	<a href="#">29</a>	STIPULATION TO EXTEND TIME for Defendants to move, answer, or otherwise respond to the Complaint to April 15, 2022 - filed by FAO ROC Holdings, LLC, MerchSource, LLC. (Flynn, Michael) (Entered: 03/02/2022)
03/02/2022		SO ORDERED, re <a href="#">29</a> STIPULATION TO EXTEND TIME for Defendants to move, answer, or otherwise respond to the Complaint to April 15, 2022, filed by FAO ROC Holdings, LLC, MerchSource, LLC. Reset Answer Deadlines: FAO ROC Holdings, LLC answer due 4/15/2022; MerchSource, LLC answer due 4/15/2022. Ordered by Judge Colm F. Connolly on 3/2/2022. (kmd) (Entered: 03/02/2022)
03/07/2022	<a href="#">30</a>	MOTION for Pro Hac Vice Appearance of Attorney Mark C. Johnson - filed by FAO ROC Holdings, LLC, MerchSource, LLC, 360 HOLDINGS III CORP.. (Flynn, Michael) (Entered: 03/07/2022)
03/07/2022		SO ORDERED, re <a href="#">30</a> MOTION for Pro Hac Vice Appearance of Attorney Mark C. Johnson, filed by 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, MerchSource, LLC. Ordered by Judge Colm F. Connolly on 3/7/2022. (kmd) (Entered: 03/07/2022)
03/16/2022	<a href="#">31</a>	MOTION for Pro Hac Vice Appearance of Attorney Michael C. Petock - filed by Remo Saraceni. (Shrenk, Tiffany) (Entered: 03/16/2022)
03/17/2022		SO ORDERED, re <a href="#">31</a> MOTION for Pro Hac Vice Appearance of Attorney Michael C. Petock, filed by Remo Saraceni. Ordered by Judge Colm F. Connolly on 3/17/2022. (kmd) (Entered: 03/17/2022)
04/15/2022	<a href="#">32</a>	MOTION to Transfer Case to Southern District of New York, MOTION to Dismiss for Failure to State a Claim - filed by 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, MerchSource, LLC. (Flynn, Michael) (Entered: 04/15/2022)
04/15/2022	<a href="#">33</a>	OPENING BRIEF in Support re <a href="#">32</a> MOTION to Transfer Case to Southern District of New York MOTION to Dismiss for Failure to State a Claim - filed by 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, MerchSource, LLC.Answering Brief/Response due date per Local Rules is 4/29/2022. (Flynn, Michael) (Entered: 04/15/2022)
04/15/2022	<a href="#">34</a>	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent 360 HOLDINGS III CORP., Other Affiliate 360 Holdings II Corp., Other Affiliate 360 Holdings I Corp. for MerchSource, LLC filed by MerchSource, LLC. (Flynn, Michael) (Entered: 04/15/2022)
04/15/2022	<a href="#">35</a>	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent 360 HOLDINGS III CORP., Other Affiliate 360 Holdings II Corp., Other Affiliate 360 Holdings I Corp. for FAO ROC Holdings, LLC filed by FAO ROC Holdings, LLC. (Flynn, Michael) (Entered: 04/15/2022)
04/15/2022	<a href="#">36</a>	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent 360 Holdings II Corp., Other Affiliate 360 Holdings I Corp. for 360 HOLDINGS III CORP. filed by 360 HOLDINGS III CORP.. (Flynn, Michael) (Entered: 04/15/2022)

04/25/2022		Pro Hac Vice Attorney Mark C. Johnson for 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, and MerchSource, LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 04/25/2022)
04/29/2022	<a href="#">37</a>	ANSWERING BRIEF in Opposition re <a href="#">32</a> MOTION to Transfer Case to Southern District of New York MOTION to Dismiss for Failure to State a Claim filed by Remo Saraceni.Reply Brief due date per Local Rules is 5/6/2022. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order in Support of Plaintiff's Brief in Opposition to Motion to Transfer or, Alternatively Dismiss, # <a href="#">2</a> Exhibit Exhibit A - Declaration of Remo Saraceni)(Shrenk, Tiffany) (Entered: 04/29/2022)
04/29/2022		Pro Hac Vice Attorney Michael C. Petock for Remo Saraceni added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 04/29/2022)
05/06/2022	<a href="#">38</a>	REPLY BRIEF re <a href="#">32</a> MOTION to Transfer Case to Southern District of New York MOTION to Dismiss for Failure to State a Claim - filed by 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, MerchSource, LLC. (Flynn, Michael) (Entered: 05/06/2022)
11/09/2022		ORAL ORDER Setting Hearings: An Oral Argument is set for 12/2/2022 at 10:00 AM in Courtroom 4B before Judge Colm F. Connolly. Ordered by Judge Colm F. Connolly on 11/9/2022. (nmf) (Entered: 11/09/2022)
11/10/2022	<a href="#">39</a>	MOTION for Pro Hac Vice Appearance of Attorney Kyle B. Fleming - filed by 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, MerchSource, LLC. (Flynn, Michael) (Entered: 11/10/2022)
11/10/2022		SO ORDERED, re <a href="#">39</a> MOTION for Pro Hac Vice Appearance of Attorney Kyle B. Fleming, filed by 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, MerchSource, LLC. Ordered by Judge Colm F. Connolly on 11/10/2022. (kmd) (Entered: 11/10/2022)
11/15/2022		Pro Hac Vice Attorney Kyle B. Fleming for 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, and MerchSource, LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 11/15/2022)
11/15/2022		Pro Hac Vice Attorney Mark C. Johnson for 360 HOLDINGS III CORP., FAO ROC Holdings, LLC, and MerchSource, LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 11/15/2022)
11/18/2022		Set Hearings: The Oral Argument is rescheduled per request of counsel for 1/12/2023 at 10:00 AM in Courtroom 4B before Judge Colm F. Connolly. (nmf) (Entered: 11/18/2022)
01/12/2023		Minute Entry for proceedings held before Judge Colm F. Connolly - Oral Argument held on 1/12/2023. (Court Reporter Bonnie Archer.) (nmf) (Entered: 01/12/2023)
01/12/2023		ORAL ORDER: On or before January 19, 2023, the parties shall file a proposed order reflecting the Court's rulings made during the oral argument held today. On or before January 26, 2023, Plaintiff shall file an amended complaint. Defendants shall file a response to the amended complaint on or before February 16, 2023. Ordered by Judge Colm F. Connolly on 1/12/2023. (nmf) (Entered: 01/12/2023)
01/17/2023	<a href="#">40</a>	Official Transcript of Oral Argument held on January 12, 2023 before Chief Judge Connolly. Court Reporter/Transcriber Bonnie Archer, Email: Bonnie_Archer@ded.uscourts.gov. Transcript may be viewed at the court public terminal or order/purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, it may be obtained through PACER. Redaction Request due 2/7/2023. Redacted Transcript Deadline set for 2/17/2023. Release of Transcript Restriction set for 4/17/2023. (nmf) (Entered: 01/17/2023)
01/17/2023	<a href="#">41</a>	ORDER REFERRING CASE to Magistrate Judge Burke for Mediation. The parties shall provide a status report to the Court upon completion of mediation. Signed by Judge Colm F. Connolly on 1/17/2023. (nmf) (Entered: 01/17/2023)
01/17/2023	<a href="#">42</a>	ORDER Setting Teleconference: A Telephone Conference is set for 2/13/2023 at 10:00 AM before Judge Christopher J. Burke. Signed by Judge Christopher J. Burke on 1/17/2023. (dlb) (Entered: 01/17/2023)
01/19/2023	<a href="#">43</a>	Letter to Chief Judge Colm F. Connolly from Tiffany M. Shrenk, Esquire regarding Enclosing the Proposed Order Implementing the Court's Rulings Issued at the January 12, 2023 Hearing. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order Denying Motion to Transfer and to File a 3rd Amended Complaint)(Shrenk, Tiffany) (Entered: 01/19/2023)
01/19/2023	<a href="#">44</a>	ORDER denying <a href="#">32</a> Motion to Transfer Case for the reasons stated on the record at the January 12, 2023 hearing and subject to the terms listed in this order. Plaintiff shall file a Third Amended Complaint on or before January 26, 2023. Defendants shall have until February 16, 2023, to answer, move, or otherwise respond to the Third Amended Complaint. Signed by Judge Colm F. Connolly on 1/19/2023. (nmf) (Entered: 01/19/2023)
01/24/2023	<a href="#">45</a>	ORAL ORDER: Due to a scheduling conflict the Mediation Teleconference set for 2/13/2023 will now be held at 11:30 AM before Judge Christopher J. Burke. Ordered by Judge Christopher J. Burke on 1/24/2023. (dlb) (Entered: 01/24/2023)
01/26/2023		CORRECTING ENTRY: The Third Amended Complaint, filed using the code "Amended Document" has been deleted. In order for Defendants to be able to respond to the Third Amended Complaint, it must be filed using the "Complaint-Amended" code found under Civil/Complaints and Other Initiating Documents/Complaint-Amended. (nmf) (Entered: 01/26/2023)
01/26/2023	<a href="#">46</a>	Third AMENDED COMPLAINT against All Defendants - filed by Remo Saraceni. (Attachments: # <a href="#">1</a> Exhibit Exhibit A - The Original Big Piano, # <a href="#">2</a> Exhibit Exhibit B - Photographs of Piano, # <a href="#">3</a> Exhibit Exhibit C - Affidavit of MerchSource, LLC, # <a href="#">4</a> Exhibit Exhibit D - FAO Shwarz Facebook Post Advertising "The Big Piano") (Shrenk, Tiffany) (Entered: 01/26/2023)
02/16/2023	<a href="#">47</a>	ANSWER to Amended Complaint, re: <a href="#">46</a> Amended Complaint, with Jury Demand , COUNTERCLAIM against Remo Saraceni by MerchSource, LLC, FAO ROC Holdings, LLC.(Murray, Travis) (Entered: 02/16/2023)
02/21/2023	<a href="#">48</a>	Order Setting Telephonic Scheduling Conference: A Scheduling Conference is set for 3/21/2023 at 03:00 PM before Judge Colm F. Connolly. If the parties have no disputes about the scheduling order, the Court will not require the parties to appear at a conference. Signed by Judge Colm F. Connolly on 2/21/2023. (nmf) (Entered: 02/21/2023)
02/22/2023	<a href="#">49</a>	ORDER Setting Mediation Teleconference: A Telephone Conference is set for 4/24/2023 at 10:00 AM in Telephonically before Judge Christopher J. Burke. Signed by Judge Christopher J. Burke on 2/22/2023. (dlb) (Entered: 02/22/2023)
03/09/2023	<a href="#">50</a>	First ANSWER to <a href="#">47</a> Answer to Amended Complaint, Counterclaim and Affirmative Defenses by Remo Saraceni.(Shrenk, Tiffany) (Entered: 03/09/2023)
03/17/2023	<a href="#">51</a>	PROPOSED ORDER -- [Proposed] Joint Scheduling Order -- by FAO ROC Holdings, LLC, MerchSource, LLC. (Attachments: # <a href="#">1</a> Letter to The Honorable Colm F. Connolly)(Flynn, Michael) (Entered: 03/17/2023)
03/17/2023		Remark: The March 21, 2023 Scheduling Conference is canceled per the filing of the Proposed Scheduling Order at D.I. <a href="#">51</a> with no areas of dispute. (nmf) (Entered: 03/17/2023)
03/17/2023	<a href="#">52</a>	NOTICE OF SERVICE of (1) Defendants' First Set of Requests For Production and (2) Defendants' First Set of Interrogatories - filed by FAO ROC Holdings, LLC, MerchSource, LLC.(Flynn, Michael) (Entered: 03/17/2023)
03/20/2023	<a href="#">53</a>	SCHEDULING ORDER: Joinder of Parties due by 5/1/2023. Amended Pleadings due by 5/1/2023. Fact Discovery completed by 12/15/2023. Expert Discovery due by 4/5/2024. Dispositive Motions due by 4/29/2024. Proposed Pretrial Order due by 7/31/2024. A Final Pretrial Conference is set for 8/21/2024 at 03:00 PM in Courtroom 4B before Judge Colm F. Connolly. A Jury Trial is set for 9/9/2024 at 08:30 AM in Courtroom 4B before Judge Colm F. Connolly. Signed by Judge Colm F. Connolly on 3/20/2023. (nmf) (Entered: 03/20/2023)
03/27/2023	<a href="#">54</a>	NOTICE of Notice of Service of Plaintiff/Counterclaim Defendant Remo Saraceni's Rule 26(A)(1) Initial Disclosures by Remo Saraceni (Shrenk, Tiffany) (Entered: 03/27/2023)

03/27/2023	<a href="#">55</a>	NOTICE OF SERVICE of Defendants' Initial Disclosures - filed by FAO ROC Holdings, LLC, MerchSource, LLC.(Flynn, Michael) (Entered: 03/27/2023)
03/30/2023	<a href="#">56</a>	Joint PROPOSED ORDER Joint Protective Order by Remo Saraceni. (Shrenk, Tiffany) (Entered: 03/30/2023)
03/31/2023	<a href="#">57</a>	STIPULATED PROTECTIVE ORDER. Signed by Judge Colm F. Connolly on 3/31/2023. (kmd) (Entered: 03/31/2023)
04/18/2023	<a href="#">58</a>	NOTICE OF SERVICE of Notice of Service of Plaintiff's Responses to Defendant's First Set of Interrogatories and Plaintiff's Responses to Defendant's First Set of Request for Production filed by Remo Saraceni.(Shrenk, Tiffany) (Entered: 04/18/2023)
05/02/2023	<a href="#">59</a>	NOTICE of Plaintiff's First Set of Interrogatories and First Set of Requests for Production of Documents to Defendants by Remo Saraceni (Shrenk, Tiffany) (Entered: 05/02/2023)
06/01/2023	<a href="#">60</a>	NOTICE OF SERVICE of (1) Defendants' Objections to Plaintiff's First Set of Requests for Production (1-62) and (2) Defendants' Responses to Plaintiff's First Set of Interrogatories - filed by FAO ROC Holdings, LLC, MerchSource, LLC.(Flynn, Michael) (Entered: 06/01/2023)

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